



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Toshiaki Kanemitsu et al) Art Unit: 3201
Serial No. : 08/146,005) Ex: L. Larson
Filed : November 4, 1993)
For : METHOD OF PRODUCING A)
ROTARY MEMBER MADE OF)
A METALLIC PLATE)

DECLARATION UNDER 37 C.F.R. 1.132

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Yasuhiro TAKAHASHI hereby declares:

1. I graduated from NAGASAKI University, the faculty of Technology, the Mechanical Engineering Course, in March of 1984.

2. I joined Kabushiki Kaisha Kanemitsu in April of 1984, became the chief of the development section, the technical department, in April of 1987, and is now the head of the same section since April of 1991.

3. I have read the above-noted application, as well as a Japanese language translation of German patent No. 304,482 to Fritz Neumeyer. In addition, I have read both Office Actions issued by the examiner on September 8, 1994 (Paper No. 4) and April 18, 1995 (Paper No. 7) in the prosecution of the above-noted application.

4. Starting with Fig. 2 of Neumeyer, it can clearly be seen that the plate has a uniform thickness. In order for this thickness to be maintained in the finished product (Fig. 3), it would be necessary for $l = v$. Clearly, this is not the case (see annotated copy of Figs. 2 and 3 attached hereto noted as Enclosure A). Accordingly, the plate wall is stretched in proceeding from Fig. 2 to Fig. 3 and this stretching produces a thinning of the plate wall so that what Neumeyer shows in Fig. 3 is not correct.

5. In Enclosure B, the sequence shown and reported by applicants in their Response of March 8, 1995 is actually what occurs in Neumeyer. Note the thinning of the plate wall in Fig. 2(D).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 25, 1995

YASUHIRO TAKAHASHI
Yasuhiro TAKAHASHI



ENCLOSURE A

Fig. 1.

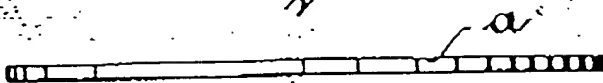


Fig. 2.

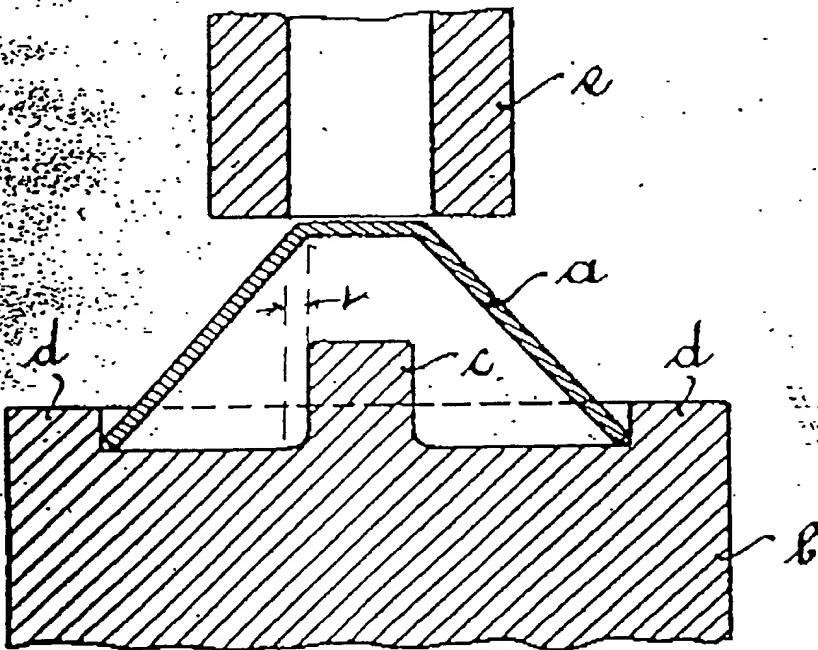


Fig. 3.

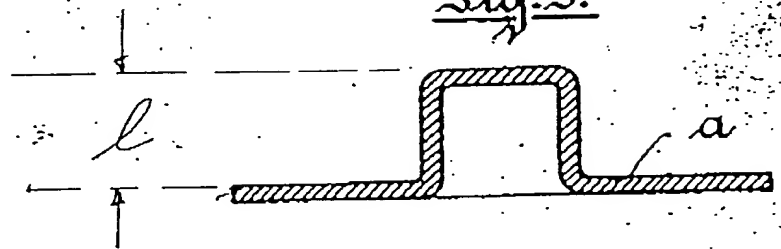
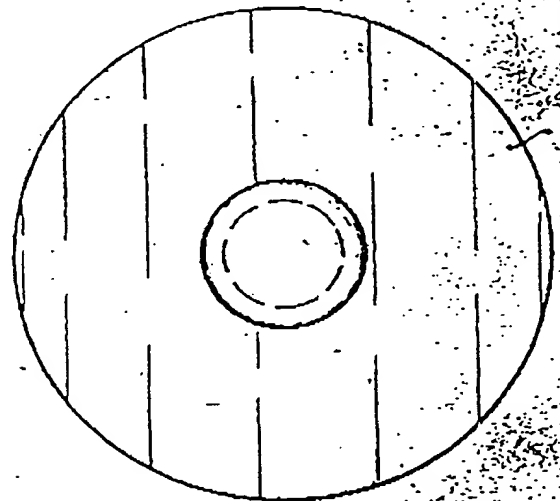


Fig. 4.





ENCLOSURE B

Fig 2 (B)

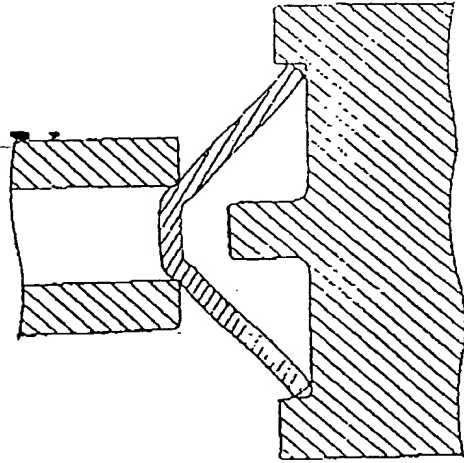


Fig 2 (D)

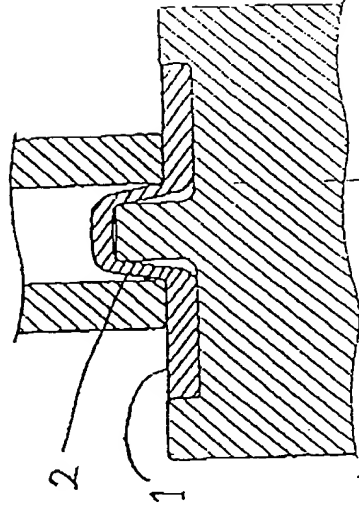


Fig 2 (A)

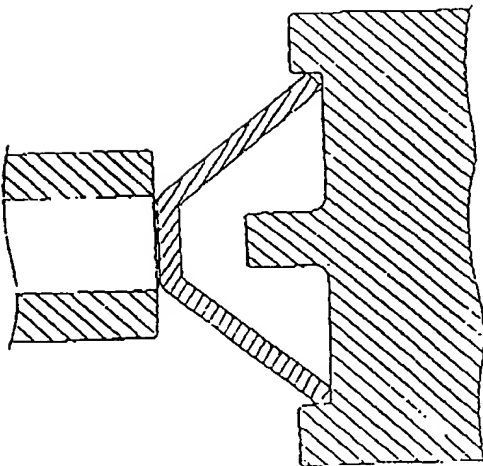
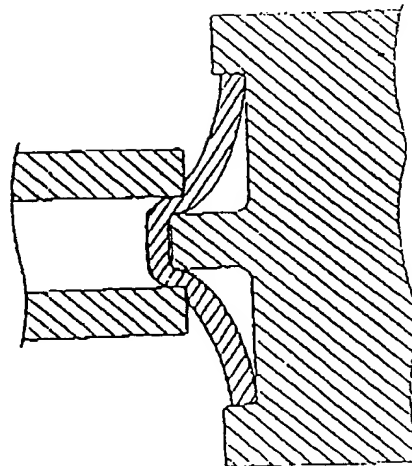


Fig 2 (C)



U.S. Pat. Appl. 09/638,032



RELATED PROCEEDINGS APPENDIX

The decision of the Board of Appeals dated June 15, 200 is noted.

S:\Producer\jfd\CLIENTS\Osaka Internationa, Suzue Patent\KANE3012\Brief on Appeal August 1 2006.wpd